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PART – I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR-17, PANCHKULA-134109

Order

The 1st December, 2020

No. SEC/3ME/2020/3080.— The General Election of Municipal Committee, Mahendergarh was held on 22.05.2016 and the result of the elected candidates was declared same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 (applicable at the time of election) further provides that if the Election Commission is satisfied that a person –

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

4. In pursuance of the above provisions, the State Election Commission, Haryana *vide* its notification No. SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs. 75,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Committee, Mahendergarh and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana vide order No. SEC/IME/2020/1833, dated 12.11.2020 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Deputy Commissioner, Mahendergarh at Narnaul, the following candidates had contested the election of Municipal Committee, Mahendergarh held on 22.05.2016 but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Ward No.
1.	Ravidutt Sharma	1
2.	Charchit	2
3.	Naresh Kumar	4
4.	Suresh Kumar	4
5.	Sanjeev Kumar	4
6.	Dinesh Kumar	4
7.	Sunita	5
8.	Vishal	5
9.	Vikaswati	6
10.	Kuldeep Sharma	6
11.	Sujata Yadav	7
12.	Mukesh Kumar	7
13.	Raman	7
14.	Vikas	8
15.	Bansi Lal	8
16.	Radhubir	8
17.	Gulshan	9
18.	Vijay Saini	10
19.	Geeta Devi	10
20.	Saroj Devi	11
21.	Pradeep Kumar	12
22.	Mamta Devi	12
23.	Mahender Singh	12
24.	Pappi Devi	13
25.	Prem Lata	13
26.	Puja Devi	14
27.	Suman	14
28.	Renu	15

7. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the period. They neither submitted their election expenditure statement nor responded to the show cause notice. I, had given them an opportunity of personal hearing on 20.11.2020 at 12.30 PM in the office of State Election Commission, Haryana, "Nirvachan Sadan", Plot No. 2, Sector-17, Panchkula in the interest of natural justice. Sh. Harish Kumar Sharma, Clerk, working

on daily wages, Municipal Committee, Mahendergarh was present during hearing who has submitted a copy of letter dated 18.11.2020 vide which the notice of personal hearing were delivered to the said candidates. It has been observed notice of personal hearing has been delivered in person or through their family members.

8. The above mentioned contesting candidates neither appeared before me nor filed any representation. Therefore, it can be concluded that they have nothing to say in the matter. Hence, they are proceeded ex-parte. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, hereby order that all the above 28 candidates are disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

9. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Mahendergarh immediately.

Panchkula:
The 20th November, 2020.

PARMAL SINGH,
Asstt. State Election Commissioner, Haryana.